

Appl. No. 10/607,778
Amdt. Dated Feb. 21, 2005
Reply to Office Action of Jan. 11, 2005

REMARKS

Applicant appreciates the Examiner's allowance of claims 1-13.

Applicant has amended claim 14 to formalize the claim languages.

Claim Rejections under 35 U.S.C. 103(a)

Claims 14-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dai et al. (USP 6734826 B1).

The examiner also states that applicant needs to specify the gap having two opening end in the claim to make the claimed invention distinguishes over Dai et al.

Applicant respectfully traverses the rejection with the following reasons.

- (I) Claim 14 defines the first radiating patch and the second radiating patch separated from each other by a generally L-shaped gap. In opposite, in Dai the area (30), which is separated by the alleged gap (21) to form the large and small areas, is the insulative area of the substrate and performs NO radiating function. In fact, in Dai the real radiating element (21, 22, 23), either alone or in combination, is/are never divided by the alleged gap (21) to form the small and large radiating patch.
- (II) Similarly, claim 14 defines the conductive element formed on the substrate and having an overall dimension similar to the substrate. Differently, according to FIG 9 of Dai, the radiating elements only occupies one half of the overall substrate roughly.

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(III) Claim 14 defines the L-shaped gap being equipped with two opposite ends terminating at the lengthwise edge and the lateral edge, respectively. Differently, in Dai the alleged gap (21) essentially consists of a plurality of radiating segments (211-218) while anyhow, none of these plural radiating elements, either along or in combination, defines/define the generally L-shaped configuration with two opposite ends terminating at the lengthwise edge and the lateral edge, respectively. The Examiner states that Applicant needs to specify in claim 14 that the gap has two "opening" ends (*in wording*) to define over Dai. Anyhow, Applicant believes the limitations defined in claim 14 regarding "the two opposite ends of the gap terminating at the lengthwise edge and the lateral edge" already illustrates this the so-called "OPENING" end structure of the gap. Applicant dare not directly add the "opening" limitation to the gap because the instant application is in an after final stage and it may result in new search/consideration issue. Anyhow, if the Examiner intends to add the "opening" limitation to the gap, Applicant is willing to follow the Examiner's instruction accordingly.

(IV) Most importantly, Dai and the instant application were, at the time the instant invention was made, owned by the same assignee, Hon Hai Precision Ind. Co., Ltd.. Please see the attached assignment recordation copy of the instant application. According to 35 U.S.C. 103(c), Dai is NOT a qualified reference for the §103 rejection.

Therefore, based upon the foregoing reasons (I) to (IV), claim 14 is believed to be patentable over Dai et al.

Claims 15-16 are also believed to be patentable since they at least dependent from independent claim 14.

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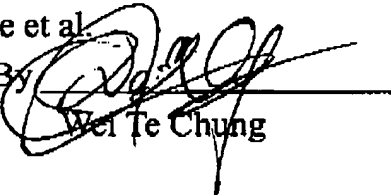
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In view of the above specification and claim amendments and remarks, the subject application is believed to be in a condition for allowance and an action to such effect is earnestly solicited.

Respectfully submitted,

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